

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRITESMILE, INC. and BRITESMILE
DEVELOPMENT, INC.,

Plaintiffs,

v.

DISCUS DENTAL, INC.; SALIM NATHOO

Defendants.

No. C 02-03220 JSW

**ORDER VACATING HEARING
DATE RE BRITESMILE'S MOTION
TO DISMISS DISCUS DENTAL'S
COUNTERCLAIMS IV-XII**

AND RELATED COUNTERCLAIMS

Pursuant to Civil Local Rule 7-1(b), the Court finds that the motion of Plaintiffs BriteSmile, Inc. and BriteSmile Development, Inc. to dismiss the fourth through twelfth counterclaims filed by Defendant Discuss Dental, Inc. which has been noticed for hearing on Friday, November 4, 2005 at 9:00 a.m., is appropriate for decision without oral argument. Accordingly, the hearing date is hereby VACATED. The motion will be taken under submission and decided on the papers.

IT IS SO ORDERED.

Dated: November 3, 2005


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE